

1 G. DAVID ROBERTSON, ESQ. (NV Bar 1001)  
2 KIRK C. JOHNSON, ESQ. (NV Bar 4299)  
3 Robertson, Johnson, Miller & Williamson  
4 50 West Liberty Street, Suite 600  
5 Reno, Nevada 89501  
6 Telephone No.: (775) 329-5600  
7 Facsimile No.: (775) 348-8300  
8 [g david@nvlawyers.com](mailto:g david@nvlawyers.com)  
9 [kirk@nvlawyers.com](mailto:kirk@nvlawyers.com)  
10 Attorneys for Defendant/Counterclaimant ICON RENO  
11 PROPERTY OWNER POOL 3 NEVADA, LLC

7

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 MFR HOLDCO, LLC, a foreign limited  
11 liability company,

12 Plaintiff,

13 vs.

14 ICON RENO PROPERTY OWNER POOL 3  
15 NEVADA, LLC, a foreign limited liability  
16 Company,

17 Defendants.

18

19 ICON RENO PROPERTY OWNER POOL 3  
20 NEVADA, LLC, a foreign limited liability  
21 Company,

22 Counterclaimant.

23 vs.

24 MFR HOLDCO, LLC,; ACH FOAM  
25 TECHNOLOGIES, INC.; FRANK  
26 KIESECKER, JR., individually; RICHARD L.  
WALLER, individually; MICHAEL S.  
HUEMPFNER, individually,

27 Counterdefendants.

28

**STIPULATION FOR EXTENSION OF TIME TO RESPOND TO**  
**MOTION TO DISMISS COUNTERCLAIM**  
**(SECOND REQUEST)**

25 **WHEREAS**, Counterdefendants Kiesecker, Waller and Huempfner filed a Motion to  
26 Dismiss Counterclaim (ECF 52) on February 26, 2019 (“the Motion”);

1                   **WHEREAS**, Counterclaimant's opposition to the Motion is currently due on or before  
2 March 26, 2019;

3                   **WHEREAS**, the parties participated in a mediation on March 4, 2019, and reached a  
4 tentative settlement of the action;

5                   **WHEREAS**, the parties are still working to finalize that tentative settlement;

6                   **WHEREAS**, the settlement will obviate the need for Counterclaimant to file an  
7 opposition to the Motion; and

8                   **WHEREAS**, the parties agree that the Counterclaimant should not be required to expend  
9 time and money opposing the Motion if the parties can finalize their settlement, such that an  
10 extension of time for Counterclaimant to file said opposition, while the parties work to finalize  
11 their settlement, makes good sense,

12                  **IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned, that  
13 Counterclaimant Icon Reno Property Owner Pool 3 Nevada, LLC shall have to and including  
14 April 9, 2019, to file its opposition to Plaintiff's Motion to Dismiss Counterclaim in this action.

15                  **IT IS SO STIPULATED:**

16                  DATED: March 26, 2019

16                  DATED: March 26, 2019.

17                  HOLLAND & HART LLP

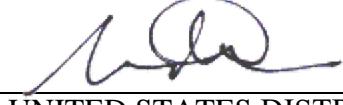
17                  ROBERTSON, JOHNSON  
18                  MILLER & WILLIAMSON

19                  By: /s/ Matthew B. Hippler  
20                  Matthew B. Hippler, Esq.  
21                  Frank Z. LaForge, Esq.  
22                  *Attorneys for Plaintiff/  
23                  Counterdefendants*

19                  By: /s/ Kirk C. Johnson  
20                  Kirk C. Johnson, Esq.  
21                  *Attorneys for Defendant/  
22                  Counterclaimant*

23                  **ORDER**

24                  **IT IS SO ORDERED:**

25                    
26                  \_\_\_\_\_  
27                  UNITED STATES DISTRICT JUDGE  
28                  DATED: 3/27/2019